

REMARKS

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 3-5 are cancelled without prejudice to or disclaimer of the subject matter contained therein. Claims 1, 2, 6, and 7 are pending. Claims 1 and 2 are amended, and claims 6 and 7 are added. Claims 1 and 2 are amended. Claim 1 is independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Claim for Priority

It is gratefully appreciated that the Examiner has acknowledged the Applicant's claim for foreign priority.

Information Disclosure Citation

The Applicant thanks the Examiner for considering the references supplied with the Information Disclosure Statement filed April 28, 2005, and for providing the Applicant with an initialed copy of the PTO form filed therewith.

Drawings

The Applicant thanks the Examiner for accepting the drawings.

Revised Abstract

In response to the Examiner's objection to the Specification, the Applicant has revised the Abstract, a clean copy of which is attached on a separate sheet.

Claim Objections / Rejection Under 35 U.S.C. § 112, second paragraph

Claim 1 has been objected to and stands rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language is not clearly understood.

In order to overcome this objection and rejection, the Applicant has amended claim 1 to address the issue pointed out by the Examiner. The Applicant respectfully submits that the claims, as amended, particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Accordingly, reconsideration and withdrawal of this objection and rejection are respectfully requested.

Rejections Under 35 U.S.C. §102(b) and §103(a)

Claims 1, 3, and 5 stand rejected under 35 U.S.C. §102(b) as being anticipated By Hornak (U.S. 4,243,255); and

claims 2 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hornak in view of Streett (U.S. 4,652,030).

These rejections are respectfully traversed.

Amendments to Independent Claim 1

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, independent claim 1 is amended herein to recite a combination of elements directed to a locking means on an over-centre fastener, including

manually releasable snap-action retaining means between a movable lever and a stationary part of the fastener,

said retaining means comprising:

abutment means associated with the stationary part and an elongate leaf spring attached at a first end thereof to a lever,

a second end of said leaf spring being movable relative to said lever and forming engagement means adapted to engage the abutment means in a closed position of the fastener,

said second end of the leaf spring being formed with guide means guiding movement of said opposite end of the spring relative to the lever.

Support for the novel combination of features set forth in independent claim can be found in the specification, for example, page 4, line 17 which discloses "The leaf spring 30 is elongate ...".

In contrast to the present invention, as can be seen in Hornak FIG. 2 and column 4, line 14 and 29, this document merely discloses a torsion spring 79 coiled about the locking lever pivot 74. While not cited in the rejection of claim 1, the Streett reference merely

teaches an L-shaped spring 20, which is not the same as the elongate leaf spring as set forth in claim 1.

At least for the reasons explained above, the Applicant respectfully submits that the combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Hornak and Streett.

Therefore, independent claim 1 is in condition for allowance.

The Examiner will note that dependent claim 2 has been amended, dependent claims 3-5 have been cancelled, and dependent claims 6 and 7 have been added to set forth additional novel features of the invention.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(b) and §103(a) are respectfully requested.

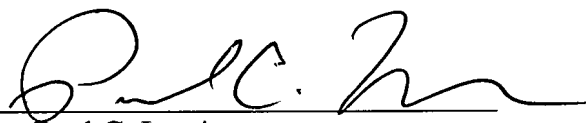
CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
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Attachment: Revised Abstract of the Disclosure